

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CRIMINAL CASE NO. 3:89cr052**

UNITED STATES OF AMERICA,)	
)	
)	
vs.)	<u>ORDER</u>
)	
)	
BELTON LAMONT PLATT.)	
<hr/>)	

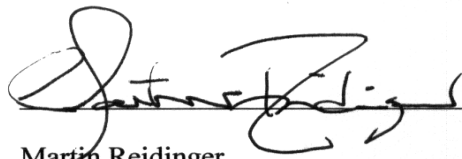
THIS MATTER is before the Court *sua sponte*. This Defendant was apparently identified at some time as being potentially eligible for relief pursuant to the crack cocaine amendment to the Sentencing Guidelines. For that reason the Court entered a CJA 20 [Doc. 2] and appointed attorney Lawrence W. Hewitt to represent the Defendant with regard to any potential motion that the Defendant may file with regard to said amendment. That CJA 20 was entered on May 5, 2008. To date no motion has been filed by the Defendant by and through his appointed attorney. The Probation Officer has filed a recommendation with the Court indicating that the Defendant is not eligible for relief.

For these reasons the Defendant, by and through his appointed attorney needs to inform the Court whether the Defendant advocates that

he is entitled to any relief pursuant to the crack cocaine amendments so that the Court can rule upon the pending recommendation.

IT IS THEREFORE ORDERED that Lawrence W. Hewitt, as the appointed attorney for the Defendant, shall within ten (10) calendar days of the date of this Order, file with the Court either a motion seeking relief for the Defendant based upon the crack cocaine amendment or a certificate of non-eligibility.

Signed: January 21, 2009


Martin Reidinger
United States District Judge

